

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, June 8, 2006 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 16: Side A, #559 to EOT
TAPE No. 16: Side B, #001 to EOT
TAPE No. 17: Side A, #001 to #617

PRESENT: Supervisors Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

SCHEDULED ITEMS:

1. 06-266 From the County Executive, appointing Brother Bob Smith to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2009.
(Tape #16-#567)

APPEARANCES:

Fran Rudig, County Executive's Office

Ms. Rudig provided comments.

MOTION BY: (BRODERICK) Approve.

Questions and comments ensued.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

2. 06-283 Resolution by Supervisor Rice, McCue, Schmitt and Cesarz to create a Code of Ethics Study Committee to study the existing and proposed provisions of the Milwaukee County Code of Ethics, research comparable codes in other jurisdictions and report recommendations to the County Board. (Tape #16A-#600)

Supervisor Rice provided comments regarding the intent of this resolution.

SCHEDULED ITEMS (CONTINUED):

Supervisor Devine requested to be added as co-sponsor of this resolution.

MOTION BY: (CESARZ) Approve.

Supervisor DeBruin also requested to be added as a co-sponsor of this resolution and questioned the make-up of the study committee.

There being no objection to the request from Supervisors Devine and DeBruin to be added as co-sponsors, it was so ordered.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

3. 06-123 Ordinance by Supervisor Mayo, to amend Chapter 9.07 of the General Ordinances of Milwaukee County, relating to the terms of service for appointments to the Milwaukee County Ethics Board. **(3/30/06: Referred to Corporation Counsel, Ethics Board and County Board staff with a report back in June.)**
(Tape #16A-#681)

APPEARANCE:

Bob Andrews, Deputy Corporation Counsel

Chairman Johnson advised that Supervisor Mayo requested that the subject ordinance be voted upon by the Committee at this meeting.

MOTION BY: (DEVINE) Refer items 3, 4 and 5 to the Ethics Study Committee approved in item 2 above and report back in December.

Questions ensued as to whether or not items 3, 4 and 5 can be referred to a committee that has not yet been voted upon by the full County-Board.

Mr. Andrews advised that a layover motion would be appropriate.

Supervisor Devine withdrew the above motion.

MOTION BY: (DEVINE) Layover items 3, 4 and 5, upon passage of the Ethics Study Committee on Board Day.

Supervisor Rice in the Chair.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to layover items 3, 4 and 5: 6-1

AYES: DeBruin, Schmitt, Cesarz, Broderick, Devine and Rice (Chair) – 6

NOES: Johnson – 1

4. 06-173 Ordinance by Supervisor White, to amend Chapter 9.07 of the General Ordinances of Milwaukee County relating to the Milwaukee County Ethics Board. **(3/30/06: Referred to Corporation Counsel, Ethics Board and County Board staff with a report back in June.**

SEE ACTION UNDER ITEM 3.

5. 06-190 Resolution by Supervisor Devine to amend Chapter 9 and Chapter 33 of the General Ordinances of Milwaukee County, relating to the processes of the Milwaukee County Ethics Board. **(3/30/06: Referred to Corporation Counsel, Ethics Board and County Board staff with a report back in June.)**

SEE ACTION UNDER ITEM 3.

6. 06-260 From Superintendent, House of Correction, requesting authorization to pay St. Vincent de Paul Society of Milwaukee for services rendered to participants at the Community Justice Resource Center. (Tape #16A-#717)

APPEARANCES:

Superintendent Ron Malone, House of Correction
Jon Priebe, Public Safety Fiscal Administrator

Superintendent Malone reviewed the subject report.

Questions and comments ensued.

MOTION BY: (SCHMITT) Approve. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

7. 06-J-11 From Federation of Nurses & Health Professionals, status report on the Electronic Medical Record (EMR) system. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)** (Tape #16B-#17)

APPEARANCES:

Bob Andrews, Deputy Corporation Counsel
Inspector Kevin Carr, House of Correction
Barbara Kelsey, Federation of Nurses & Health Professionals

SCHEDULED ITEMS (CONTINUED):

Linda Federighe, Federation of Nurses & Health Professionals
Stephen D. Moershel, Sheriff's Department
Patty Yunk, D.C. 48 AFSCME

Ms. Kelsey provided comments relative to the Electronic Medical Record system at the Jail and House of Correction, the need for a psychiatrist at the House of Correction and the need for additional RN's at both the Jail and House of Correction to see inmates who have submitted sick call requests.

Mr. Andrews stated that Corporation Counsel has some concerns relative to discussion regarding this item. He stated that comments should only pertain to the Electronic Medical Record system, since this is what is noticed on the agenda.

Supervisor DeBruin suggested that a special meeting of this Committee be convened in "closed session", preferably before Board day (6/22/06), to discuss other items of concern related to the Electronic Medical System at the Jail and House of Correction.

A lengthy discussion ensued.

Inspector Carr provided comments.

Chairman Johnson advised that there would be a special meeting regarding this subject before Board day.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

8. 06-184 From David King, Jr., submitting a claim for damages allegedly sustained to his automobile when involved in an accident with a Milwaukee County snowplow. **(Corporation Counsel recommends payment in the amount of \$633.60 in full settlement of this claim.)** (Tape #16B-#414)

APPEARANCE:

Bob Andrews, Deputy Corporation Counsel

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) Approve items 8, 9 and 11.

Questions and comments ensued.

Vote on the motion to approve items 8, 9 and 11: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

9. 06-39 From **Action Express**, submitting a claim for damages allegedly sustained to their vehicle when it was involved in an accident with a County Highway vehicle on November 9, 2005. **(Corporation Counsel recommends payment in the amount of \$ 876.83 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 8.

10. 05-473 From Courtney & Molter, S.C., in behalf of Danyle Hall and the Estate of Anita Hall, submitting a claim for the inappropriate care and treatment at the Behavioral Health Division, Rehabilitation Center – Hilltop leading to her death on June 12, 2005. **(Corporation Counsel recommends payment in the amount of \$50,000 to settlement all claims arising out of her death.)** (Tape #17A-#608)

MOTION BY: (RICE) adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to items 10, 12, 13, 14 and 15.

The Committee adjourned into closed session at approximately 10:45 a.m. and reconvened into open session at approximately 12:10 p.m. with the same Committee members present as before.

MOTION BY: (SCHMITT) Approve. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) – 7

NOES: 0

The Committee took no action on items 12, 13, 14 and 15.

SCHEDULED ITEMS (CONTINUED):

11. 06-183 From American Family Insurance Group, submitting a claim under their subrogation rights of their insured, David McGlothian, for reimbursement of payment made for the alleged damages sustained to the insured's vehicle which was involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$9,764.00 to settle this claim.)**

SEE ACTION UNDER ITEM 8.

12. 06-J-12 From Principal Assistant Corporation Counsel, relating to Riverwalk/Pere Marquette Americans with Disabilities (ADA) complaint and settlement **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

SEE ACTION UNDER ITEM 10.

13. 06-J-3 From Corporation Counsel, status report regarding claims against Brewery Works, Inc. for money due to the County arising out of the lease agreement at Schlitz Park.

SEE ACTION UNDER ITEM 10.

14. 06-J-5 From Corporation Counsel, status report for contracts issued through the Office of Corporation Counsel under MCGO 56.30 (10).

SEE ACTION UNDER ITEM 10.

15. 06-J-6 From Corporation Counsel, status report on Champine sick allowance lawsuit.

SEE ACTION UNDER ITEM 10.

16. 06-J-13 From the Sheriff, a report summarizing the plan of action for enhanced safety in and around County parks. **(Also to the Committee on Parks, Energy and Environment) (INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.)** (Tape #16B-#470)

APPEARANCES:

Inspector Kevin Carr, Sheriff's Department
Jon Priebe, Public Safety Fiscal Administrator
Supervisor Marina Dimitrijevic (4th District)
Deputy Roy Felber, Deputy Sheriff's Association

Inspector Carr reviewed the subject report.

Questions and comments ensued.

SCHEDULED ITEMS (CONTINUED):

Supervisor Divine requested bi-weekly reports to this Committee and the Parks Committee relative to the progress of the Parks patrol.

Inspector Carr respectfully requested to continue to provide update reports to the Judiciary Committee.

Discussion ensued at length.

Deputy Felber advised that the Deputy Sheriff's Association is in agreement with this plan. He stated that the lakefront is a good area right now, but once the lakefront is cleaned up, the same measures should be taken to clean up other parks.

Inspector Carr stated that the plan is a work-in-progress and requested the Committee's patience and indulgence.

Supervisor Broderick expressed concerns relative to the State expressway patrol and lost revenues. Mr. Priebe addressed those concerns.

This item was taken out of order.

17. 06-296 From Director, Child Support Enforcement, relating to a proposed contract for a Nine (9) month pilot program between the Department of Child Support Enforcement and the Wisconsin Bureau of Milwaukee Child Welfare to prioritize the Bureau's out of home placement cases in exchange for a fee of 20% of the child support collected from all sources. (Tape #17A-#569)

APPEARANCE:

John Hayes, Director, Child Support

Mr. Hayes reviewed the subject report.

Questions and comments ensued.

MOTION BY: (RICE) Approve. ((Vote 7-0))

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

This item was taken out of order.

SCHEDULED ITEMS (CONTINUED):

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Superintendent Ron Malone, House of Correction
Inspector Kevin Carr, Sheriff's Office
Jon Priebe, Public Safety Fiscal Administrator
John Hayes, Director, Child Support Enforcement

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 12:11 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk